

# HOUSE BILL No. 1452

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 22-5-6.

**Synopsis:** Employment discrimination. Prohibits an employer from discriminating against an employee, with respect to compensation and benefits or terms and conditions of employment, because of: (1) the employee's allegation that the employee has been raped or subject to sexual harassment; (2) the employee's status as a rape victim; or (3) the employee's filing of a charge or complaint of sexual harassment with any court or governmental entity. Provides that an employee may bring a civil action to enforce these prohibitions against discrimination. Provides that if an employer violates these prohibitions against discrimination, a court may enjoin further discrimination by the employer and may award actual damages, punitive damages, and costs and attorney's fees.

**Effective:** July 1, 2001.

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## Smith V, Lawson L

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January 11, 2001, read first time and referred to Committee on Labor and Employment.

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Introduced

First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

## HOUSE BILL No. 1452

A BILL FOR AN ACT to amend the Indiana Code concerning labor and industrial safety.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 22-5-6 IS ADDED TO THE INDIANA CODE AS  
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2001]:

4 **Chapter 6. Discrimination Against Victims of Rape or Sexual**  
5 **Harassment**

6 **Sec. 1. An employer may not discriminate against an employee,**  
7 **with respect to the employee's compensation and benefits or the**  
8 **terms and conditions of employment, because of any of the**  
9 **following:**

- 10 (1) **The employee's allegation that the employee is a victim of**  
11 **rape.**  
12 (2) **The employee's status as a victim of rape.**  
13 (3) **The employee's allegation that the employee has been**  
14 **subjected to sexual harassment.**  
15 (4) **The filing by the employee in any court or with any**  
16 **federal, state, or local governmental entity of a charge or**  
17 **complaint of sexual harassment.**



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1       **Sec. 2. (a) An employee may bring a civil action in a circuit or**  
2       **superior court against an employer to enforce section 1 of this**  
3       **chapter.**

4       **(b) If an employer violates section 1 of this chapter, a court may**  
5       **do any of the following:**

6           **(1) Award actual damages.**

7           **(2) Award court costs and reasonable attorney's fees.**

8           **(3) Award punitive damages.**

9           **(4) Enjoin further violation of this chapter.**

10       **Sec. 3. This chapter does not limit an employee's rights or**  
11       **remedies under any other state or federal law.**

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